

HORLEY TOWN COUNCIL

Joan Walsh
Town Clerk
Council Offices, 92 Albert Road
Horley, Surrey RH6 7HZ
Tel: 01293 784765
info@horleysurrey-tc.gov.uk
www.horleysurrey-tc.gov.uk



Planning for the Future
Ministry of Housing, Communities and Local Government
3rd Floor, South East Fry Building
2 Marsham Street
LONDON SW1P 4DF
By email: planningforthefuture@communities.gov.uk

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Dear Sirs

White Paper: Planning for the Future Consultation

Thank you for the opportunity to respond to this consultation. Horley Town Council (HTC) has considered the consultation at two Planning Committee Meetings held on 15 September 2020 and 13 October as well as a more focused Working Group and set out below is their considered response. Councillors do feel that insufficient time was given to consider a response given the importance of the topic and the degree of change being proposed.

At Town Council level, HTC feels that some of the content of this consultation is beyond the scope of our experience and qualification to answer but we would like to make the following points. Horley Town Council is situated in the Borough of Reigate and Banstead and has been subject to considerable expansion as in addition to development identified in the 2015 Local Plan, residential properties have also come from windfall sites and town centre conversions from commercial to residential properties under permitted development. Horley is a densely populated area and with the planned developments, and other additions, the population of Horley is expected to reach 28,500; a 30% increase on the most recent census figure of 22,000.

Although Horley has rural surrounds, the Town is not a rural area and as such has no comment to make on how policy should be formulated regarding designated rural areas. Reigate and Banstead Borough Council has a Development Management Plan, the DMP sets out the detailed policies and site allocations to deliver the Reigate and Banstead Local Plan: Core Strategy in the period up to 2027 and was adopted on 26 September 2019. HTC was consulted and gave input throughout the process that resulted in adoption of the DMP.

Horley Town Council is concerned about the proposed move away from local decision making to national which we feel will result in a de facto loss of democracy and community engagement. There also appears to be a lack of concrete evidence that the proposed changes to the current planning system will achieve the aims you are pursuing with these changes.

In answering the White Paper Consultation questions below, we are mindful of the current context of local government structures carrying out planning and firmly believe that the Devolution and Recovery White Paper should be brought forward first as it will clearly have an impact on those local structures including the current planning authorities.

1. What three words do you associate most with the planning system in England?

The three words HTC most associate with the planning system in England are 'Regulation', 'Growth' and 'Management'.

2(a). Do you get involved with planning decisions in your local area?

Yes - Horley Town Council does get involved with planning decisions in our local area as we consulted by the local planning authority.

3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?

[Social media / Online news / Newspaper / By post / Other – please specify]

As a legal consultee, we already have access to plans and contribute Council views to planning applications relevant to Horley online, using the principal authority's planning portal. We receive electronic notifications from the principal authority for planning applications in our area. We would hope that this would continue to be the case.

4. What are your top three priorities for planning in your local area?

[Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]

It is difficult to prioritise because all the options are important however, at present, the top three priorities for planning in Horley are:

i) building homes for young people; ii) supporting the local economy; and iii) More or better local infrastructure.

5. Do you agree that Local Plans should be simplified in line with our proposals?

[Yes / No / Not sure. Please provide supporting statement.]

HTC are not sure whether we agree that Local Plans should be simplified in line with the proposals. We feel that the proposed three land use categories is an over simplification. Horley is surrounded by a flood plain so we query what would decide 'areas of significant flood risk' as one of the criteria listed under protected area. It is hard for us to envisage how any changes from the current system whereby the Local Plan/DMP identifies areas of land for residential, employment etc. would create a benefit for Horley.

6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally? [Yes / No / Not sure. Please provide supporting statement.]

No - HTC does not agree with the proposals for streamlining the development management content of Local Plans and setting out general development management policies nationally. This would appear to significantly reduce the ability for local communities to influence the Local Plans and Development Management Policies. All localities have differing needs and constraints and we do not feel that a national policy would be able to address these issues. We do, however, support the proposal that Development Management Policies should be machine readable.

- 7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact?**

[Yes / No / Not sure. Please provide supporting statement.]

HTC is not sure if we agree with the proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact. This appears to be lacking in detail and it is unclear how this would support government policies on climate change and the net zero carbon commitment. We believe that digital mapping is to be welcomed.

- 7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate.**

We welcome the proposal to remove the Duty to Cooperate. With regards to strategic cross boundary issues these would mainly be centered around roads, schools and healthcare, all of which are the currently the responsibility of the County Council and national bodies who can take an overview of the needs and look to meet them.

- 8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?**

[Yes / No / Not sure. Please provide supporting statement.]

We are not sure whether we agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced and we query whether the local authorities would have a role in identifying constraints?

- 8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?**

[Yes / No / Not sure. Please provide supporting statement.]

Yes - we agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated.

- 9(a). Do you agree that there should be automatic outline permission for areas for substantial development (*Growth* areas) with faster routes for detailed consent?**

[Yes / No / Not sure. Please provide supporting statement.]

We are not sure if we agree that there should be automatic outline permission for areas for substantial development (*Growth* areas) with faster routes for detailed consent. Whilst it may speed up the decision-making process we are again concerned about loss of democracy, local community engagement and control.

- 9(b). Do you agree with our proposals above for the consent arrangements for *Renewal* and *Protected* areas?**

[Yes / No / Not sure. Please provide supporting statement.]

No - we do not agree with the proposals above for the consent arrangements for *Renewal* and *Protected* areas. We do not feel that there is sufficient information and would need to know, if greater detail, what is being planned and how windfall sites would be addressed.

- 9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?**
[Yes / No / Not sure. Please provide supporting statement.]
No - we do not think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime; if this would lead to no control being exercised by the LPA or if the ability to consult with the local community was likely to be affected.
- 10. Do you agree with our proposals to make decision-making faster and more certain?**
[Yes / No / Not sure. Please provide supporting statement.]
No - we do not agree with the proposals to make decision-making faster and more certain. Faster decision making will squeeze out local engagement with the process, lead to loss of democracy and a lack of local control resulting in poor and/or inappropriate development. Setting a determination deadline of 13 weeks, whilst it may be the target, meeting it will be outside the control of the local authority as this could be negatively affected by the resources, or lack thereof, of consultees.
- 11. Do you agree with our proposals for accessible, web-based Local Plans?**
[Yes / No / Not sure. Please provide supporting statement.]
Yes - we do agree with the proposals for accessible, web-based Local Plans. Especially if this makes Local Plans more accessible to local communities. We are strongly of the opinion that alternative means of access must continue to be provided for those without internet facilities.
- 12. Do you agree with our proposals for a 30-month statutory timescale for the production of Local Plans?**
[Yes / No / Not sure. Please provide supporting statement.]
Yes - we agree with the proposals for a 30-month statutory timescale for the production of Local Plans. However, we are very concerned that local consultation will be restricted to 'Stage 3' which is proposed to last only 6 weeks. This will prevent the local community, including Councils such as ourselves at Town and Parish level, being able to work with our principal authority in shaping the plan early on in the process. This must reduce the number of changes that would arise under this proposal. Another retrograde step is the threat to impose a word limit response. The Local Plan is too important a document to have these limitations imposed on the LPA and the local community. This appears to significantly water down the role of community engagement in the preparation of the Local Plan and leaves no time for a thorough review to take place.
- 13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?**
[Yes / No / Not sure. Please provide supporting statement.]
We are not sure whether we agree that Neighbourhood Plans should be retained in the reformed planning system. We have no experience of Neighbourhood Plans as HTC decided not to have a Neighbourhood Plan but to work, in partnership, through our principal authority's Local Plan and DMP.

- 14. 14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?
[Yes / No / Not sure. Please provide supporting statement.]**
- We are not sure whether there should be a stronger emphasis on the build out of developments. Our recent experience has been mostly a positive one. Our local major developments have been carried out by two or more developers with each working simultaneously. As we understand it, locally, the only delays to build out have been the result of financial recessions such as the 2008 banking crisis.
- 15. What do you think about the design of new development that has happened recently in your area?
[Not sure or indifferent / Beautiful and/or well-designed / Ugly and/or poorly-designed / There hasn't been any / Other – please specify]**
- Horley has two relatively new developments and whilst there are some elements that we feel could have been done better, on balance, we feel that they were well designed in the main. Where we have concerns, these could have been ameliorated by providing more open space, making less cramped use of the space and making them less dense.
- 16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?
[Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]**
- Horley Town Council feel that all the options listed are our priorities. We would like to see more green and open spaces, energy efficient new buildings, more trees, and less reliance on cars.
- 17. Do you agree with our proposals for improving the production and use of design guides and codes?
[Yes / No / Not sure. Please provide supporting statement.]**
- No - we disagree with the proposals for improving the production and use of design guides and codes. We do not see how a 'one size fits all' approach is appropriate when local character needs to be preserved and promulgated. Currently our principal authority has Local Distinctive Design Guides on which we are consulted at every stage.
- 18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?
[Yes / No / Not sure. Please provide supporting statement.]**
- No - we disagree that a new body should be established to support design coding and building better places and that each authority should have a Chief Officer for design and place-making. We have concerns about the powers of this new body and whether it can impose conditions on the LPA which might be at odds with the local needs. We do not agree or see the need for the chief officer role. Another and probably expensive post for the LA to have to fund. Our principal authority already has a Local Distinctiveness Design Guide on which we are fully consulted.

19. **Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?**
[Yes / No / Not sure. Please provide supporting statement.]
We are unsure about whether we agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England.
20. **Do you agree with our proposals for implementing a fast-track for beauty?**
[Yes / No / Not sure. Please provide supporting statement.]
We are not sure that we agree with the proposals for implementing a fast-track for beauty because there is a lack of explanation about what is meant by beauty and this may be very subjective.
21. **When new development happens in your area, what is your priority for what comes with it?**
[More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]
When new development happens in our area, many things that accompany it are important, but our key priorities would be more affordable housing, more and better infrastructure, more shops and/or employment areas and more green space.
- 22(a). **Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?**
[Yes / No / Not sure. Please provide supporting statement.]
We do not agree that the Government should replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold. We see no advantages in combining S.106 and CIL; the latter has only recently been introduced. The roles of both in new developments are quite clear and serve different purposes.
- 22(b). **Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?**
[Nationally at a single rate / Nationally at an area-specific rate / Locally]
The Infrastructure Levy rates should be set locally. Rates are currently set locally and reflect the costs in the local area. Surrey being a high cost area could suffer if a national rate was introduced.
- 22(c). **Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?**
[Same amount overall / More value / Less value / Not sure.]
The Infrastructure Levy should aim to capture more value, to support greater investment in infrastructure, affordable housing and local communities.

22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

[Yes / No / Not sure. Please provide supporting statement.]

We are not sure about the idea to allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area. While this could bring forward infrastructure quicker, we have concerns that it may also become a financial burden on the LPA.

23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?

[Yes / No / Not sure. Please provide supporting statement.]

Horley Town Council agrees that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights. We have experienced a large growth in permitted development which has an impact on the local infrastructure but does not make any contribution by way of the CIL.

24. 24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?

[Yes / No / Not sure. Please provide supporting statement.]

Apart from welcoming more affordable housing in our area, we have no comment to make on question 24.

25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy.

[Yes / No / Not sure. Please provide supporting statement.]

No - we do not think that local authorities should have fewer restrictions over how they spend the Infrastructure Levy. We feel that this would result in the levy income going into a central fund and would remove the requirement to invest in the local infrastructure. It should be used for tangible community benefit and not be used to support Council budgets.

We would like to add with regard to proposals 15,16,17 and 18 that whilst we support the aspirations; the White Paper is short on detail as to how these would be achieved and therefore it is impossible to give a meaningful response.

We hope that our above responses and comments made on this consultation will be given due consideration and we look forward to hearing the outcomes in due course.

Yours faithfully,



Joan Walsh
Town Clerk

cc – NALC, policy.comms@nalc.gov.uk
Claire Coutinho, MP for East Surrey
Claire Minter, Clerk Salfords & Sidlow Parish Council
Ian Dunsford, RBBC Planning Policy Manager
Cllr Richard Biggs, Cabinet Member for Planning Policy, RBBC